

Although that one of the Thieves be taken, yet if Hue and Cry be not duly made, the Town where the default is, shall be amerced: But the party robbed shall have no remedy for his Mony (of the Hundred) in regard that one of the Thieves is taken. And this is by force of the Statute 27 *Eliz.* whereas the Amerciament is by force of the Statute of *Winchester.*

It seemeth by my Lord *Dyer. Ann. 22. Eliz.* that the Statute is satisfied, if the Names of the offenders be descried; so that they may be indicted and outlawed. *Quære inde,* for the words of the Statute of 13 *Edw. 1.* and 28 *Edw. 3.* are, That the County must answer for the Bodies of such offenders. *Winch. 13 Ed. 1. cap. 2.* and Stat. 28 *El. 3. cap. 11.*

*Nota,* The party robbed must bring and commence his Action within 20 days next after his Examination taken before the Justice of Peace. 36 *El. Dew's Case.*

Also the Justice of Peace must be abiding within the County, at the time of examination taken by him, as it seemeth; for the Justice of Peace being out of the County, is but a private man, and hath no authority to take such examination. See the title, *Justices of Peace, hic, c. 6.*

If a man be robbed in *Middlesex,* and maketh Hue and Cry freshly into *Essex,* if the Towns adjoyning do not according to the Statute of *Winchester,* the party robbed may have his Action of Debt in the one County or the other, by *Fincham, 15 Edw. 4. 18. Br. Pett. 104.*

§. 5. *High-ways.* High ways leading from one Market Town to another, shall be enlarged, so that there be neither Dike, Underwood, nor Bush, whereby a man may lurk to do hurt, within two hundred foot of the one side and of the other; and if by default of the Lord that will not amend the Ways as aforesaid, any Robberies be done therein, the Lord shall be answerable for the Robbery: And if a Park be near the High-way, the Lord must set his Park Two hundred foot of each side from the way as aforesaid; or else must make such a Wall, Dike, Hedge, or Pale, that such offenders may not pass to and fro there. *Winch. 13 Ed. 1. cap. 5.*

Every Justice of Peace may cause such High ways to be enlarged and cleansed as aforesaid. See *hic antea, tit. High-ways.*

## C H A P. LXXXV. V. 49.

## Sacraments.

§. 1.  
*Three Justices.*

IT seemeth that three Justices of the Peace (one of them being of the *Quorum*) may, out of the general Sessions, take Information and Accusation (by the Oaths of two honest persons) against such as shall deprave or unreverently speak of the Sacrament of the Body and Blood of our Lord and Saviour *Jesus Christ,* against the Statute, &c. And may bind the Accusers (and such other Witnesses as were by) Recognizance (in five pounds apiece) to give in evidence at the Tryal. But Mr. *Lamb.* maketh a *Quære* hercof. *The Statute of 1 E. 6. c. 1. is repealed by 1 Ma. 1. But is revived by 1 El. 1. in such manner as the same was, 1 E. 6.*

§. 2.  
*Penalty.*

And such person, being indicted at the Sessions, and found guilty of depraving, despising, or contemning the Blessed Sacrament, by words or otherwise, he shall suffer imprisonment, and make Fine and Ransom at the Kings pleasure. *Lam. 352. 1 E. 6. 1.*

§. 3.  
*Power.*

The Justices of Peace in Sessions may hear and determine offences and contempt against that Act; so as the parties offending be informed of, or presented within three months after the offence committed. *1 E. 6. 1.*

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